

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DANE R. GILLETTE  
Chief Assistant Attorney General  
3 GERALD A. ENGLER  
Senior Assistant Attorney General  
4 PEGGY S. RUFFRA  
Supervising Deputy Attorney General  
5 JEREMY FRIEDLANDER, State Bar No. 125138  
Deputy Attorney General  
6 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
7 Telephone: (415) 703-5974  
Fax: (415) 703-1234  
8 Email: Jeremy.Friedlander@doj.ca.gov

9 Attorneys for Respondent

10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION  
14

15 AN DUY NGUYEN,

Petitioner,

17 v.

18 MIKE EVANS, Warden,

Respondent.

C 07-3979 SI (PR)

**MOTION TO ACCEPT  
OVERSIZE MEMORANDUM  
OF POINTS AND  
AUTHORITIES IN SUPPORT  
OF ANSWER TO PETITION  
FOR WRIT OF HABEAS  
CORPUS**

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22 Respondent respectfully requests permission to file a 28-page memorandum of points  
23 and authorities in support of his answer to the petition for writ of habeas corpus. *See* Civil L.R.  
24 7-4(b). Good cause for this request is set forth in the accompanying declaration of respondent's  
25 counsel.

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1 Dated: January 25, 2008

2 Respectfully submitted,

3 EDMUND G. BROWN JR.  
Attorney General of the State of California

4 DANE R. GILLETTE  
Chief Assistant Attorney General

5 GERALD A. ENGLER  
Senior Assistant Attorney General

6 PEGGY S. RUFFRA  
Supervising Deputy Attorney General

7  
8  
9 /s/ Jeremy Friedlander

10 JEREMY FRIEDLANDER  
11 Deputy Attorney General  
Attorneys for Respondent  
12

13 JF:er

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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: *Nguyen v. Evans*

No.: **C 07-3979 SI (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.


On January 25, 2008, I served the attached **1. MOTION TO ACCEPT OVERSIZE MEMORANDUM OF POINTS AND AUTHORITIES; 2. DECLARATION OF JEREMY FRIEDLANDER IN SUPPORT OF MOTION; and 3. [PROPOSED] ORDER** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

An Duy Nguyen  
V-68985  
Salinas Valley State Prison  
P.O. Box 1050  
Soledad, CA 93960-1060

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on January 25, 2008, at San Francisco, California.

E. Rios

Declarant

  
Signature